

FISCAL NOTE

SB 897 - HB 1274

March 27, 2003

SUMMARY OF BILL:

- Defines "automobile auction" as any person offering motor vehicles for sale to the highest bidder where buyers are licensed motor vehicle dealers or their duly authorized agents.
- Exempts an individual who is acting as an authorized agent of one or more motor vehicles dealers solely for the purpose of buying, selling or exchanging vehicles at an automobile auction on behalf of such dealer or dealers from the definition of "motor vehicle dealer" and "motor vehicle salesperson."
- Allows for the denial or revocation of a license of an automobile auction or agent thereof who, while acting as an automobile auction, willfully permitted any person to buy, sell or exchange motor vehicles in such auction sales without first determining that such person is a duly licensed motor vehicle dealer or duly authorized agent of such dealer.
- Makes various revisions to the law relative to the issuance of a gallery or branch license.
- Provides that a violation of the provisions of this bill is punishable through civil penalties and as a Class C misdemeanor as provided in TCA 55-17-117.

ESTIMATED FISCAL IMPACT:

State Revenues - Net Impact - Not Significant
Increase State Expenditures - Not Significant

Increase Local Govt. Revenues - Not Significant
Increase Local Govt. Expenditures - Not Significant

Estimate assumes:

- to the extent that a license is revoked or suspended there is estimated to be a not significant decrease in state revenues from the collection of the licensing fee. Any decrease is estimated to be offset by a not significant increase in state revenues through the collection of civil penalties.
- any increase in state expenditures to implement and monitor the provisions of this bill is estimated to be not significant.
- local impact depends upon the number of persons convicted of this offense and the resulting increased cost to local governments to confine such persons versus the increased revenues to local governments from fines levied and collected under the provisions of this bill.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James A. Davenport, Executive Director

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